

## REMARKS

Applicant respectfully requests that the foregoing amendments be made prior to examination of the present application, and respectfully requests reconsideration of the present application in view of the foregoing amendments and the reasons that follow. This amendment corrects the dependency of claim 10, so that it amends from pending claim 6. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-13 are pending and subject to restriction. Claims 6-9 are now in *prima facie* condition for allowance. Claims 10-13 are claims for a method of manufacturing a device as in claims 6-9, and claim 10 has been amended to depend from claim 6 to emphasize this fact. Therefore, they now must be examined in the present application, under the doctrine set forth in *In re Ochiai*.

Claims 1-5 are rejected under Section 102(b) based on Nishizawa *et al.* (US 5,663,582). Claims 1-5 have been canceled without prejudice or disclaimer in order to allow early issuance of claims 6-13. Claims 4, 7 and 8 are rejected under Section 102(b) based on Onishi *et al.* (2001/0028083). Claim 4 has been canceled without prejudice or disclaimer, and claims 7 and 8 were amended in the response filed earlier via facsimile to depend from allowable claim 6, in order to allow early issuance of claims 6-13.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If there are any problems with this response, Applicant's attorney would appreciate a telephone call. In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

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DATE

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